

AMENDED IN ASSEMBLY MAY 5, 2010

AMENDED IN ASSEMBLY APRIL 7, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1715

Introduced by Assembly Member Fuentes

February 2, 2010

An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1715, as amended, Fuentes. State claims.

Existing law requires the California Victim Compensation and Government Claims Board to report to the Legislature when there is no sufficient appropriation available for the payment of a claim against the state accepted by the board. Existing law requires claimants to pay a fee of \$25 to file a claim against the state. Existing law also authorizes the board to assess a surcharge in an amount not to exceed 15% of the total approved claim. The fee and surcharge are to be deposited into the General Fund and may be appropriated in support of the board, as specified.

This bill would appropriate ~~\$1,125,778.35~~ \$998,377.23 from various funds to the Executive Officer of the California Victim Compensation and Government Claims Board to pay claims accepted by the board. This bill would require the Controller, upon the request of the board, in a form prescribed by the Controller, to transfer surcharges and fees from the Budget Act items of appropriation identified in this bill to Item 1870-001-0001 of Section 2.00 of the Budget Act of 2010.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The sum of ~~one million one hundred~~
 2 ~~twenty-five thousand seven hundred seventy-eight dollars and~~
 3 ~~thirty-five cents (\$1,125,778.35)~~ *nine hundred ninety-eight*
 4 *thousand three hundred seventy-seven dollars and twenty-three*
 5 *cents (\$998,377.23)* is hereby appropriated from various funds, as
 6 specified in subdivision (b), to the Executive Officer of the
 7 California Victim Compensation and Government Claims Board
 8 for the payment of claims accepted by the board in accordance
 9 with the schedule set forth in subdivision (b).

10 (b) Pursuant to subdivision (a), claims accepted by the
 11 California Victim Compensation and Government Claims Board
 12 shall be paid in accordance with the following schedule:

13		
14	Total for Fund: General Fund (0001).....	\$963,914.25
15	Total for Fund: Item 1900-517-0822 <i>Total for Fund:</i>	
16	<i>Health Care Deposit Fund (0912)</i>	\$120.00 \$3,410.70
17	Budget Act of 2010, Program 30.....	
18	<i>Total for Fund: Public Employees' Health Care Fund</i>	
19	<i>(0822)</i>	<i>\$120.00</i>
20	Total for Fund: Item 2660-001-0042	
21	Budget Act of 2010, Program 20.10.....	\$15,223.27
22	Total for Fund: Item 2740-001-0044	
23	Budget Act of 2010, Program 11.....	\$7,706.92
24	Total for Fund: Item 4260-601-0912 —	
25	Budget Act of 2010, Program 20.010.030.....	\$3,410.70
26	Total for Fund: Item 4440-011-0001	
27	Budget Act of 2010, Program 20.20.....	\$1,114.95
28	Total for Fund: Item 5180-111-0001	
29	Budget Act of 2010, Program 25.15.....	\$2,700.03
30	Total for Fund: Item 5225-001-0001	
31	Budget Act of 2010, Program 25.....	\$130,151.12
32		<i>\$2,750.00</i>
33	Total for Fund: Item 7100-001-0185	

1	Budget Act of 2010, Program 21.....	\$1,194.46
2	Total for Fund: Item 8320-001-0001	
3	Budget Act of 2010, Program 11.....	\$242.65

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5 SEC. 2. Upon the request of the California Victim
6 Compensation and Government Claims Board, in a form prescribed
7 by the Controller, the Controller shall transfer surcharges and fees
8 from the Budget Act items of appropriation identified in
9 subdivision (b) of Section 1 of this act to Item 1870-001-0001 of
10 Section 2.00 of the Budget Act of 2010. For each Budget Act item
11 of appropriation, this amount shall not exceed the cumulative total
12 of the per claim filing fees authorized by subdivision (b) of Section
13 905.2 of the Government Code and the surcharge authorized by
14 subdivision (f) of Section 905.2 of the Government Code. For
15 those items in subdivision (b) that do not reflect a Budget Act
16 appropriation, the Controller shall transfer an amount not to exceed
17 the cumulative total of the per claim filing fees authorized by
18 subdivision (b) of Section 905.2 of the Government Code and the
19 surcharge authorized by subdivision (f) of Section 905.2 of the
20 Government Code. This amount shall be transferred for the support
21 of the board reimbursements to Item 1870-001-0001 of Section
22 2.00 of the Budget Act of 2010. The board shall provide a report
23 of the amounts recovered pursuant to this authority to the
24 Department of Finance within 90 days of the enactment of this
25 act.

26 SEC. 3. This act is an urgency statute necessary for the
27 immediate preservation of the public peace, health, or safety within
28 the meaning of Article IV of the Constitution and shall go into
29 immediate effect. The facts constituting the necessity are:

30 In order to pay claims against the state and end hardship to
31 claimants as quickly as possible, it is necessary that this bill go
32 into immediate effect.

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